

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

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Investigation by the Department of Telecommunications)

And Energy on its own Motion into the Appropriate,)

Regulatory Plan to succeed Price Cap Regulation for) D.T.E. 01-31

Verizon New England, Inc. d/b/a Verizon Massachusetts')

Intrastate Retail Telecommunications Services in the)

Commonwealth of Massachusetts.)

PETITION TO INTERVENE OF GLOBAL NAPS, INC.

Pursuant to 220 CMR § 1.03, Global NAPS, Inc. hereby petitions to intervene as a party in the above-captioned proceeding. In support of its petition, Global NAPS, Inc. states as follows:

1. Global NAPS, Inc. is a competitive local exchange carrier ("CLEC") authorized to provide local exchange services in the Commonwealth.

2 As such, Global NAPS provides services in competition with Verizon-MA and has the right to use Verizon-MA's transmission loops and other facilities to provide telecommunications service on rates, terms and conditions that are just and reasonable and nondiscriminatory under Sections 251 and 252 of the Telecommunications Act of 1996.

3. Global NAPs, Inc. has a substantial and specific interest in this proceeding. Global NAPs, Inc. is specifically and substantially affected by the rates Verizon-MA charges its retail customers, insofar as those prices may affect: (a) Global NAPs, Inc.'s competitive position; and (b) Verizon-MA's ability and incentive to offer just and reasonable terms and conditions for interconnection and access by CLECs to Verizon-MA's local exchange network. Global NAPs, Inc. is further interested in this proceeding to the extent it is required to pay intrastate access charges to Verizon-MA.

4. The price cap regulation under review in this proceeding was adopted after extended proceedings with wide industry and public participation in *NYNEX*, D.P.U. 94-50 (1995). As a result of those proceedings, the Department established among other things, service baskets and price floors "intended to prevent cross-subsidization and anticompetitive pricing." *Id.* at 216. The present proceeding is just as significant to a competitive marketplace, and therefore directly and substantially affects Global NAPs as a competitor. Participation needs to be as wide in this proceeding.

CONCLUSION

For the forgoing reasons, Global NAPs, Inc. respectfully requests that the Department grant it the right to intervene in this proceeding.

Respectfully submitted,

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